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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,889	10/21/2003	Gregg E. Laukuf	GRD0181.US	3878

7590 04/19/2007
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EXAMINER

NGUYEN, CHI Q

ART UNIT	PAPER NUMBER
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3635

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/689,889

Applicant(s)

LAUKUF ET AL.

Examiner

Chi Q. Nguyen

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-17 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group II (claims 7-17) in the reply filed on 2/16/2007 is acknowledged.

Status Of Claims

Claims 1-6 are drawn to non-elected claims.

Claims 7-17 have been examined.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. A claimed language "wherein said at least one fluid drain openings is four fluid drain openings" is awkward.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7-9 and 11-17 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat. No. 5,230,552 to Schipper et al.

Claim 7:

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Schipper discloses a spill tolerant electrical assembly (col. 1, line 32) comprising a duplex having a receptor face 74 and a housing 16/18 connected to said receptor face, said housing having a side 28 opposite said receptor face; and at least one hole in said side (Figs. 3-7, col. 5, lines 36-37).

Claim 8:

Further comprising at least one location 50 in said housing in which fluid gather (col. 3, lines 67-68, and col. 4, line 1).

Claim 9:

Wherein at least one said hole is placed through said housing proximate to said at least one location.

Claim 11:

Further comprising the step of orienting said duplex outlet such that said receptor face is upward and said side is downward (see Figs. 3-4).

Claim 12:

Schipper discloses a work surface utilities module comprising a housing 16/18 having a side 222 and an opposite side 28, a plurality of electrical terminal 20/120 accessible through openings in said side, and at least one fluid drain opening in said opposite side (col. 5, lines 36-37).

Claim 13:

Wherein said opposite side has a profile 50 that directs fluids toward said at least one fluid drain opening when said side is facing upward (Fig. 4).

Claim 14:

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Wherein said at least one fluid drain opening is four fluid drain openings 94, 96, 52, 54 each fluid drain opening located substantially opposite one of said openings in said side (col. 4, lines 26-32).

Claim 15:

Schipper discloses a work surface utilities module comprising an enclosure 14, and a spill tolerant electrical outlet 74 mounted at least partially within said enclosure, said spill tolerant electrical outlet including: a housing 16/18 having a side 222 and an opposite side 28, a plurality of electrical terminals 20/120 accessible through openings in said side, and at least one fluid drain opening in said opposite side (col. 5, lines 36-37).

Claim 16:

Wherein said opposite side has a profile 50 that directs fluids towards said at least one fluid drain opening when said side is facing upward.

Claim 17:

Wherein said at least one fluid drain opening is four fluid drain openings 94, 96, 52, 54, each fluid drain opening located substantially opposite one of said openings in said side.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat. No. 5,230,552 to Schipper et al.

Schipper discloses the basic structures for spill tolerant duplex outlet as stated but does not disclose expressly wherein said at least one hole is made by one of drilling. However it would have been obvious to one of ordinary skill in art at the time the invention was made to make a hole by drilling method.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chi Q. Nguyen whose telephone number is (571) 272-6847. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached at (571) 272-6842.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197.

CQN

4/13/07

Barbara K. Kitch
2004.04.16/07
4/16/07